

Message Text

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16

ORIGIN MED-03

INFO OCT-01 EA-07 ISO-00 L-03 ABF-01 SNM-02 DEAE-00 AID-20

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R 051843Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK

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E.O. 11652: N/A

TAGS: AMED

SUBJECT: AEHA-YTC FUND RAISING CAMPAIGN

REF: BANGKOK 15031(PARAGRAPH 3)

1. IT WAS NECESSARY TO ESTABLISH AEHA UNDER DEPARTMENTAL AUTHORITY AS NON-GOVERNMENT OPERATED EMPLOYEES ASSOCIATION WHICH ALSO ENABLES IT TO RECEIVE GRANTS FROM SAODAP OR OTHER FEDERAL FUNDING AGENCIES. TO NOW ATTEMPT TO CLAIM THAT AEHA IS A GOVERNMENTAL ORGANIZATION FOR PURPOSE OF CHARITABLE INCOME TAX DEDUCTIONS WOULD BE INCONSISTENT AND WOULD JEOPARDIZE ASSOCIATIONS CHANCES OF RECEIVING FURTHER GRANT FUNDS FROM SAODAP.

2. TO QUALIFY FOR CHARITABLE INCOME TAX STATUS UNDER IRS REGULATIONS, IT WOULD BE NECESSARY FOR AEHA TO BE AFFILIATED WITH AND A BRANCH OF A U.S. BASED ORGANIZATION WHICH WAS SO QUALIFIED. THIS NOT RECOMMENDED BECAUSE OF TIME ELEMENT AND LEGAL FACTORS INVOLVED.

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3. PROBABLY BEST SOLUTION TO PROBLEM WOULD BE UNCONDITIONAL REPEAT UNCONDITIONAL GIFTS TO THE SECRETARY OF STATE UNDER SECTION 1021 OF THE FOREIGN SERVICE ACT. ALTHOUGH

GIFTS WOULD BE TECHNICALLY UNCONDITIONAL THEY COULD BE GIVEN "WITH THE HOPE THAT THEY WILL BE USED TO ASSIST THE YOUTH TREATMENT CENTER IN BANGKOK". THE DEPARTMENT OF

COURSE MAKES EVERY REASONABLE EFFORT TO COMPLY WITH THE EXPRESSED DESIRES OF DONORS UNDER THESE CIRCUMSTANCES. FUNDS THUS GENERATED COULD BE DEPOSITED WITH THE DO. FYI USE OF CONDITIONAL REPEAT CONDITIONAL GIFT TO SECRETARY ALSO POSSIBLE BUT MUCH LESS PREFERABLE AS SUCH GIFTS MORE DIFFICULT AND TIME CONSUMING TO PROCESS HERE AS DETERMINATION MUST BE MADE THAT NO APPROPRIATED EXPENDITURES WILL BE REQUIRED AS RESULT OF EXPENDITURES PURSUANT TO GIFT. UNDER ABOVE CIRCUMSTANCE, BELIEVE UNCONDITIONAL GIFT CHANNEL WILL SATISFY BOTH NEEDS OF THE DONORS AND THE DEPARTMENT. RUSH

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